



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

**NOTICE OF ALLOWANCE AND ISSUE FEE DUE**

IM22/0829

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APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
09/133,801	08/13/98	005	GRAY, L	1734 08/29/01
First Named Applicant	JOHNSON, 35 USC 154(b) term ext. = 0 Days.			

TITLE OF INVENTION FASTENER TAPE MATERIAL, BAG UTILIZING FASTENER TAPE MATERIAL, AND METHOD OF MANUFACTURE THEREOF

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
1 10172-9013-I	156-252.000	L34	UTILITY	YES	\$620.00	11/29/01

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

**HOW TO RESPOND TO THIS NOTICE:**

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give application number and batch number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

PATENT AND TRADEMARK OFFICE COPY

#22F 009  
8-23-01

# Notice of Allowability

Application No.  
09/133,801

Applicant(s)  
Johnson

Examiner  
Linda L. Gray

Art Unit  
1734



--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to papers filed 8-10-01.
  2. ☒ The allowed claim(s) is/are 25-29.
  3. ☐ The drawings filed on \_\_\_\_\_ are acceptable as formal drawings.
  4. ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
    - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \*Certified copies not received: \_\_\_\_\_

5. ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE FOR SUBMITTING NEW FORMAL DRAWINGS, OR A SUBSTITUTE OATH OR DECLARATION.** This three-month period for complying with the REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL is extendable under 37 CFR 1.136(a).

6. ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
7. ☒ Applicant MUST submit NEW FORMAL DRAWINGS
  - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto    or    2) ☒ to Paper No. 8.
  - (b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the examiner.
  - (c) ☐ including changes required by the attached Examiner's Amendment/Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

8. ☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any reply to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

## Attachment(s)

- |  |  |
|--|--|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892)  | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                    | 4 <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No. <u>21</u> |
| 5 <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449), Paper No(s). _____          | 6 <input checked="" type="checkbox"/> Examiner's Amendment/Comment                     |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input type="checkbox"/> Examiner's Statement of Reasons for Allowance               |
| 9 <input type="checkbox"/> Other   |  |

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**Examiner's Amendment/Comment**

**Authorization**

1. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to Applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee. Authorization for this Examiner's Amendment was given in a telephone interview with Mr. Levy on 8-22-01.

**Amendment**

2. The application has been amended as follows: Claims 25-27 have been amended as follows:

25. (Amended) A method of manufacturing a reclosable bag having top and bottom end, opposing front and rear walls, and a flexible interlocking fastener assembly where said assembly comprises a complementary engaging portion and a flexible interlocking portion, said method comprising the steps of:

(a) sealing the engaging portion, having the flexible-interlocking-portion engaged, to a lip and sealing the flexible interlocking portion to a lip,

(b) sealing the engaging-portion-lip to a continuous web upstream from a forming and filling nozzle cylinder of a from, fill, and seal machine where the web comprises two parallel sides,

(c) sealing the sides of the web together to form the front and back walls,

(d) forming the bottom end by sealing completely across the front and back walls,

(e) forming the top end by sealing completely across the front and back where the flexible-interlocking-portion-lip is sealed to the top end of the front wall, and

(f) forming perforations in the front wall intermediate the engaging portion and the flexible-interlocking-portion-lip sealed to the top end of the front wall whereby said fastener assembly blocks any opening of the perforations and whereby a fail-safe reclosable bag barrier is formed reducing the risk of contamination or release of contents within or from an interior storage volume of the bag by inadvertent separation of the perforation.

[ A method of manufacturing a reclosable bag having top and bottom ends and opposing front and rear walls and a flexible interlocking fastener assembly, said method comprising the steps of: sealing said fastener assembly to one or more lips; sealing one of said lips to one of said walls; said fastener assembly comprising an engaging portion and a flexible interlocking fastener assembly releasably connected to a complementary engaging portion, said complementary engaging portion sealed to said front wall only as a

result of a sealing operation upstream from a forming and filling nozzle cylinder of a form, fill and seal machine; sealing and end of said front wall to said flexible interlocking fastener lip, and to said back wall, and form a perforation on said front wall intermediate said complementary engaging portion and said end sealed to said flexible interlocking fastener lip, whereby when said flexible interlocking fastener assembly is engaged to said complementary engaging portion, said fastener assembly blocks any opening of said perforation whereby a fail-safe reclosable bag barrier is formed reducing the risk of contamination or release of contents within or from an interior storage volume of said bag by inadvertent separation of one portion of said front wall from another portion of said front wall.]

2

26. (Amended)

1

The method of claim 25 further comprising the step of releasably engaging the engaging portion to the flexible interlocking portion before sealing to the lips.

[The method of Claim 25 further comprising the step of releasably interconnecting said complementary engaging portion to said engaging portion upstream from a forming and filling nozzle cylinder of a form, fill and seal machine.]

3

27. (Amended)

1

The method of claim 25 further including sealing a plurality of the assemblies to the web at bag interval lengths apart.

[The method of Claim 25 further comprising the step of securing predetermined sections of said flexible interlocking fastener assembly having said lips to a continuous elongated sheet of web material which forms said front and rear walls at bag length intervals along said continuous elongated sheet.]

### **Claim Numbering**

3. When an application is ready for allowance, the Examiner, if necessary, will renumber the claims consecutively in the order in which they appear or in such order as may have been requested by Applicants. Misnumbered claims 25-29 have been renumbered as claims 1-5, respectively.

### **Conclusion**

4. Any inquiry concerning this communication or earlier communications should be directed to Examiner Linda L. Gray at (703) 308-1093, M-F, 6:30 am to 4:00 pm. The fax number is (703) 305-7718.

llg *llg*  
August 23, 2001

*Linda L. Gray*  
LINDA GRAY  
PRIMARY EXAMINER

5-8

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